

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
OLD LADDER LITIGATION CO., LLC, as Litigation
Designee on behalf of the Liquidation Trust,

Plaintiff,
vs.

INVESTCORP BANK B.S.C., et al.,

Defendants.
----- X

08 cv 0876 (RMB)(THK)

AND ORDER
STIPULATION RESPECTING AMENDED COMPLAINT

WHEREAS Plaintiff sought the identities of certain Doe defendants;

WHEREAS the Investcorp Defendants objected to disclosure of the identities of the
Doe defendants;

WHEREAS Magistrate Theodore H. Katz ordered the Investcorp Defendants to
disclose the identities of the Doe defendants in his order of May 29, 2008 (the "May 29 Order");

WHEREAS the Investcorp Defendants filed objections before Judge Richard M.
Berman on June 2, 2008, to the May 29 Order (the "Objections");

WHEREAS Judge Berman has yet to rule on the Objections;

WHEREAS the Investcorp Defendants ultimately disclosed the names of the Doe
defendants on Monday, June 9, 2008;

WHEREAS Plaintiff seeks to add immediately the identities of the newly disclosed Doe defendants to the above-referenced complaint;

WHEREAS responsive pleadings have been filed in this action, Plaintiff may amend the complaint only by written consent of the defendants or leave of the Court;

WHEREAS the Investcorp Defendants desire to keep the identities of the newly disclosed Doe defendants confidential and under seal pending an outcome of the Objections;

WHEREAS Plaintiff and the Investcorp Defendants held a conference with Magistrate Katz on June 11, 2008, to discuss these issues:

IT IS HEREBY AGREED AND ORDERED that:

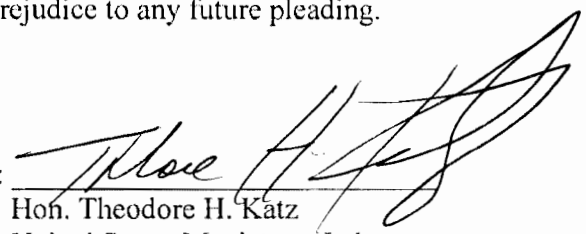
1. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, Plaintiff is hereby authorized to amend its complaint in the above captioned action solely for the purpose of substituting the newly disclosed Doe defendants for the defendants previously identified as "Does 1 through 300" in the complaint dated January 24, 2008;

2. Subject to the approval of the Court, Plaintiff shall file the portion of the amended complaint that identifies the newly disclosed Doe defendants under seal pending Judge Berman's determination on the Objections; and OK.

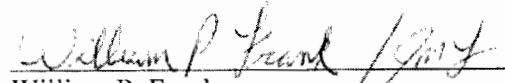
3. The terms of this stipulation are without prejudice to any future pleading.

Dated: New York, New York
June 12, 2008

SO ORDERED:


Hon. Theodore H. Katz
United States Magistrate Judge

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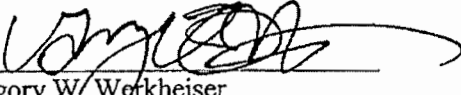
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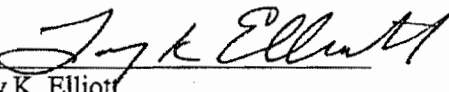
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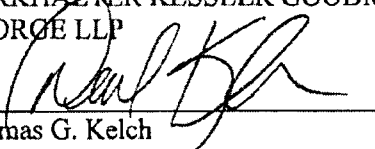
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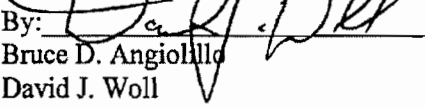
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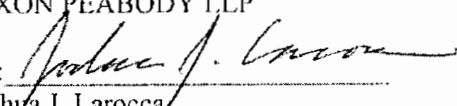
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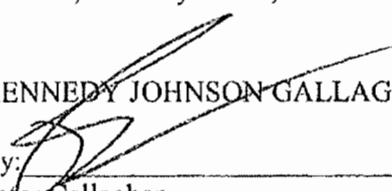
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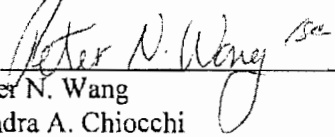
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Ackerman Successor Trustee); Jeffrey R.
Ackerman; Matthew W. Weiss; The Estate of
Max Hanfling (Edward A. Pollack – Executor)

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